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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 00-056

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

- a. In the last sentence in s. HSS 73.11 (intro.), “must” should be replaced by “shall.”
- b. Since the rule only sets forth criteria for determining whether in-home services are infeasible, it is unnecessary, in s. HSS 73.11 (intro.), to list the other conditions which must be met. If desired, this material could be placed in a note following the rule.
- c. The requirement regarding documentation set forth in sub. (3) does not correspond to the introductory material in s. HSS 73.11. Specifically, the introductory material identifies the material in the subsequent subunits as “criteria.” However, the requirement set forth in sub. (3) is not a criterion. In addition, “suggests” should be replaced with “shall explain.”

4. Adequacy of References to Related Statutes, Rules and Forms

In the statutory sections cited as authority to create the rule, the references to 1997 Wisconsin Act 27 are unnecessary, since the current printed volumes of the statutes include all acts of the 1997-98 Legislature.